

# UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/705,575	11/10/2003	Andi J. Song	TTC-12602/08	4265	
25006	7590 10/11/2005	EXAMINER			
•	KRASS, GROH, SPRINK	WILLIAMS, MARK A			
PO BOX 702: TROY, MI	-	ART UNIT	PAPER NUMBER		
*			3676		
			DATE MAILED: 10/11/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.   Applicantles	- HU								
Examiner    Mark A. Williams   Mark D. Williams   Mark D. Mar	•	Application N	<b>o.</b>	Applicant(s)					
Mark A. Williams 3676  - The MAILING DATE of this communication appears on the cover sheet with the correspondence address —  Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Estimates in term they be available under the previolend of 2 CFR 1.136(a). In no event, however, may a reply be through filed after SIX (8) MONTHS from the mailing date of this communication.  IND period or reply within the set or extended period for reply within the set of set of the somewhat the set of the set of the somewhat the set of the somewhat the set of the s	Office Action Symmony	10/705,575		SONG ET AL.					
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WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be waitible under the provisions of 37 CFR 1.134(a). In or event, however, may a reply be timely filled after SIX (8) MONTHS from the mailing date of this communication. If NO period for reply is periodical above, the maximum statutory period will apply and will expire SIX (8) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filled, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).  Status  1)    Responsive to communication(s) filled on 20 July 2005. 2a)   This action is FINAL. 2b    This action is non-final.  3)   Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)   Claim(s)		ion appears on the cov	er sheet with the d	correspondence ad	iaress				
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* See the attached detailed Office action for a list of the certified copies not received.	* *	•	` ''	ed.					
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Attachment(s)	Attachment(s)								
1) Notice of References Cited (PTO-892)  4) Interview Summary (PTO-413)		41 F	7 Interview Summary	(PTO-413)					
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date	P) Dotice of Draftsperson's Patent Drawing Review (PTO-		Paper No(s)/Mail Da	ate					
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Paper No(s)/Mail Date  5) Notice of Informal Patent Application (PTO-152)  6) Other:			_	atent Application (PT	O-152)				
S. Patent and Trademark Office			 		, <del></del>				
TOL-326 (Rev. 7-05)  Office Action Summary  Part of Paper No./Mail Date 20050929		Office Action Summary	Pa	rt of Paper No./Mail D	ate 20050925				

Application/Control Number: 10/705,575

Art Unit: 3676

#### **DETAILED ACTION**

## Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Terry, US Patent 5,364,303, in view of Korean Patent 2003031219A ('219). A vane 238 having a front edge and an opposed rear edge, wherein said rear edge includes one notched portion 242; a control knob 250 fixedly engaged onto said vane, wherein said control knob includes an outer surface and an inner surface that defines a recess for receiving said vane, such that a first portion of said inner surface of said knob is adjacent said rear edge of said vane, and a second portion of said inner surface of said knob is adjacent said front edge of said vane, and a side portion of said knob is open for receiving said vane within the recess. The recess receiving the vane is dimensioned to be slightly larger than a dimension of said vane. Terry discloses a notch in the rear end of a control vane 238. Terry

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discloses the claimed invention except explicit teaching of the vane having a resilient pad within the notch portion. Patent '219 teaches the general concept of using a resilient pad 14 as both a means for maintaining position and shock absorbing, with a material of the shock absorber that may be silicone. It would have been obvious at the time the invention was made for one skilled in the art to have included such a modification in the device of Terry, as generally taught by '219, for the purpose of maintaining position, as well as shock absorbing.

### Response to Arguments

3. Applicant's arguments with respect to claims 7-10 have been considered but are not persuasive.

Applicant argues that a control knob disposed in one of two notches in the rear edge of the vane, as shown in Terry, is structurally distinct from a vane having one notch in the rear, as claimed by applicant. With respect to the newly added claim limitation of "one notch", it is the position of the examiner that such a limitation does not change the scope of the claim at all. This reads and means the same as "at least one notch", since the claim is not require to be limited to only one notch. Further, even if the claim was rewritten so as to require only a single notch,

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the examiner does not believe that alone would make the claim patentable, in view of the state of the art.

### **Conclusion**

This action is non-final.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark A. Williams whose telephone number is (571) 272-7064. The examiner can normally be reached on Monday through Friday.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

BRIAN E. GLESSNER

CUREDUSORY PATENT EXAMINER

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark Williams

9/25/05

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